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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,598	08/25/2003	Hung-Shan Wei		4266

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EXAMINER	
KARDOS, NEIL R	
ART UNIT	**PAPER NUMBER**
4172	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/648,598	WEI, HUNG-SHAN	
	Examiner	Art Unit	
	Neil R. Kardos	4172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 August 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *8-25-03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This is a non-final first Office action on the merits. Currently, claims 1-9 are pending.

Claim Objections

2. Claim 9 is objected to because of the following informalities: typographical errors.

Claim 9 reads "means for daily yields," which examiner believes should be corrected to read "means for gathering daily yields."

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3 and 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent number 6,119,102 to Rush et al ("Rush") in view of the article "Common Sense Manufacturing, a Method of Production Control" to Betz ("Betz").

As per claim 1, Rush discloses a system for balancing manufacturing orders, the system comprising an order adjusting module, an order balancing module, a yield gathering module and a document updating module (see column 6, line 66 though column 7, line 5, which discloses order balancing and adjusting via an MRP system; column 7, lines 47-50, which discloses

incorporating a yield factor into the MRP system; and column 8, lines 23-36, which discloses document updating via MPS regeneration), wherein:

the order balancing module is used to balance manufacturing orders in accordance with daily production yield gathering by the yield gathering module (see column 6, line 66 through column 7, line 5 and column 7, lines 47-50, which teach incorporating production yields into demand used for production scheduling);

the order adjusting module is used to receive manufacturing order adjusting instructions from a user (see figure 1, wherein order data can be input by a user in order to adjust the production schedule; also column 8, lines 59-63, wherein a user can manipulate demand in order to manage production resources); and

the document updating module is used to update data stored in a master list of manufacturing orders, detailed records of manufacturing orders, and corresponding planning bills of material (BOMs) in accordance with data updating orders generated by the order balancing module and the order adjusting module (see generally figure 6, column 11, line 55 through column 12, line 18, and column 12, line 64 through column 13 line 21; column 12, lines 3-7 disclose an updated list of sales orders; column 12, lines 64-66 disclose an updated bill of material; column 13, lines 9-21 disclose an updated detail of order items).

Rush does not disclose wherein the yield gathering module is used to gather production yields in accordance with data stored in daily production statements and daily stock receipt statements.

Betz teaches a method for calculating yields by dividing the number of good parts produced at a process step by the total number of parts that start at that step (see page 3, heading "Process Yield Analysis," through page 4, paragraph 1). These numbers are input into a computer system for use by the rest of the organization.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Betz's method of calculating yields in the yield gathering module in the invention of Rush. One of ordinary skill in the art would have been motivated to do so in order to incorporate production yields into an MRP system (see Betz, page 4, paragraph 2).

As per claim 2, Rush discloses a system wherein the order adjusting module, the order balancing module, the yield gathering module and the document updating module are comprised in an application server (see column 8, lines 23-36, wherein the MRP/MPS is the application server that includes all the limitations).

As per claim 3, Rush discloses a system further comprising a database connecting module which connects the order adjusting module, the order balancing module, the yield gathering module and the document updating module with the master list of manufacturing orders, the detailed records of manufacturing orders and the planning BOMs for data interchange therebetween (see column 8, lines 23-36, wherein the MRP/MPS uses data sets for data interchange).

As per claim 5, Rush discloses a system wherein the order balancing module generates a temporary record for recording data on changing of manufacturing orders (see column 17, lines 7-33, wherein new transaction records are inserted into the MRP, creating a new record).

As per claim 6, Rush discloses a system wherein the document updating module updates data stored in the master list of manufacturing orders, the detailed records of manufacturing orders, and the planning BOMs in accordance with data stored in the temporary record (see column 17, lines 7-33, wherein new transaction records are inserted into the MRP, creating a new record, including data for manufacturing orders, records, and bill of materials).

As per claim 7, Rush discloses a method for balancing manufacturing orders, the method comprising the steps of:

balancing manufacturing orders in accordance with quantities of products (see column 6, line 66 through column 7, line 5, which discloses incorporating demand quantities into production scheduling);

deducting data on quantities of materials stored in planning BOMs of corresponding manufacturing orders from data stored in a record of shop floor depot, and updating storage data on the products (see generally column 15, line 48 through column 16, line 27; see column 16, lines 4-8, which discloses reducing item supply based on production schedules); and

updating data stored in a master list of manufacturing orders, a corresponding detailed record of a manufacturing order, and a corresponding planning BOM (see generally figure 6, column 11, line 55 through column 12, line 18, and column 12, line 64 through column 13 line 21; column 12, lines 3-7 disclose an updated list of sales orders; column 12, lines 64-66 disclose an updated bill of material; column 13, lines 9-21 disclose an updated detail of order items).

Rush does not disclose gathering daily yields from daily production statements and daily stock receipt statements

Betz teaches a method for calculating yields by dividing the number of good parts produced at a process step by the total number of parts that start at that step (see page 3, heading "Process Yield Analysis," through page 4, paragraph 1). These numbers are input into a computer system for use by the rest of the organization.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Betz's method of calculating yields in the invention of Rush. One of ordinary skill in the art would have been motivated to do so in order to incorporate production yields into an MRP system (see Betz, page 4, paragraph 2).

As per claim 8, Rush discloses a method further comprising the step of adjusting manufacturing orders (see figure 1, wherein order data can be input by a user in order to adjust the production schedule; also column 8, lines 59-63, wherein a user can manipulate demand in order to manage production resources).

As per claim 9, Rush discloses a system for balancing manufacturing orders, the system comprising:

means for balancing manufacturing orders in accordance with quantities of made products (see generally column 15, line 48 through column 16, line 27; see column 15, lines 55-58, which discloses using inventory data in the process of creating a production schedule);

means for deducting data quantities of materials stored in planning BOMs of corresponding manufacturing orders from data stored in a record of shop floor depot,

and updating storage data on the products (see generally column 15, line 48 through column 16, line 27; see column 16, lines 4-8, which discloses reducing item supply based on production schedules); and

means for updating data stored in a master list of manufacturing orders, a corresponding detailed record of a manufacturing order, and a corresponding planning BOM (see generally figure 6, column 11, line 55 through column 12, line 18, and column 12, line 64 through column 13 line 21; column 12, lines 3-7 disclose an updated list of sales orders; column 12, lines 64-66 disclose an updated bill of material; column 13, lines 9-21 disclose an updated detail of order items).

Rush does not disclose means for daily yields from daily production statements and daily stock receipt statements.

Betz teaches a method for calculating yields by dividing the number of good parts produced at a process step by the total number of parts that start at that step (see page 3, heading "Process Yield Analysis," through page 4, paragraph 1). These numbers are input into a computer system for use by the rest of the organization.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Betz's method of calculating yields in the invention of Rush. One of ordinary skill in the art would have been motivated to do so in order to incorporate production yields into an MRP system (see Betz, page 4, paragraph 2).

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rush in view of Betz, and further in view of Official Notice.

As per claim 4, Rush does not disclose a system wherein the master list of manufacturing orders, the detailed records of manufacturing orders and the planning BOMs are comprised in a database server with a database managing module.

Official Notice is taken that it is well known in the computer networking arts to store data on a server. This common business practice was known well before the time of applicant's invention.

It would have been obvious to one of ordinary skill in the computer networking arts at the time the invention was made to use well known computer networking practices in order to store the data present in the invention of Rush on a database server. One of ordinary skill in the art would have been motivated to do so in order to share information between separate users.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neil R. Kardos whose telephone number is (571) 270-3443. The examiner can normally be reached on Mon-Thu and alternating Fridays from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on (571) 272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Neil R. Kardos
Examiner
Art Unit 4172

nrk
10/12/07

THOMAS A. DIXON
SUPERVISORY PATENT EXAMINER